

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Revenue Department - Allegation of corruption against Sri Patel Shanker, S/o.Sri Mogulappa, Village Revenue Officer, Kandeballur Village, Jukkal Mandal, Nizamabad District - Trapped by the Anti-Corruption Bureau Officials on 14-10-2009–Sanction of Prosecution– Orders – Issued.

REVENUE (VIGILANCE-VII) DEPARTMENT

G.O.Ms.No. 1282

Dated:11-10-2010.

** ** **

ORDER:

1. Whereas, Sri Patel Shanker, S/o.Sri Mogulappa, worked as Village Revenue Officer, Kandeballur Village, Jukkal Mandal, Nizamabad District from 08-02-2007 to 14-10-2009 and by virtue of the post held by him, he falls under the category of "Public Servant" as defined under clause (c) of section 2 of the Prevention of Corruption Act, 1988 (Act 49 of 1988);

2. And whereas, the Complainant Sri Munuru Maruthi Gonda, S/o. Late Babu Gonda, Age: 55years, Occupation: Agriculture, is a resident of Kandeballur Village, Jukkal Mandal, Nizamabad District and his Father Babu Gonda died in the month of February, 2008. He owned and possessed of 6.06 acres of Agriculture land at the outskirts of Kandeballur Village; that Sri M.Maruthi Gonda met the Village Revenue Officer Sri Patel Shanker at Gram Chavidi of Kandeballur Village and told him that he intended to take crop loan (Agricultural Loan) on his land and prayed for changing the name in the Pattadar Pass Book into his Mother's name i.e., Smt.Gangavva; that on that, the Village Revenue Officer Sri Patel Shanker replied positively and told him that he will get order from the Tahsildhar for changing the name of his Mother and get the same Pattadar Pass Book and Title Deed in favour of his Mother; that the Village Revenue Officer Sri Patel Shanker also instructed him to handover the old Pattadar Pass Book and Title Deed of his Father; that at about 2 months prior to the complaint of Sri M.Maruthi Gonda handed over the old Pattadar Pass Book and Title Deed which is in the name of Babu Gonda to the Village Revenue Officer Sri Patel Shanker at Gram Chavidi; that later, he met the Village Revenue Officer Sri Patel Shanker and asked about the mutation Pattadar Pass Book and Title Deed in favour of his Mother, on that the Village Revenue Officer Sri Patel Shanker replied positively and demanded Rs.2,000/- as a bribe for getting the work done; that again Sri M.Maruthi Gonda met the Village Revenue Officer Sri Patel Shanker and enquired about the Pattadar Pass Book and Title Deep, the Village Revenue Officer Sri Patel

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Shanker told him that "the Pattadar Pass Book and the Title Deed was ready with him" and he (Sri Patel Shanker) insisted to pay the bribe amount of Rs.2,000/- and that he met the Village Revenue Officer several times about his work. But the Village Revenue Officer Sri Patel Shanker did not issue the Pattadar Pass Book & Title Deed; and that finally Sri M.Maruthi Gonda met the Village Revenue Officer Sri Patel Shanker on 09-10-2009 and requested him to handover the Pattadar Pass Books, on that the said Sri Patel Shanker told Sri M.Maruthi Gonda that he has to pay a minimum amount of Rs.1,000/- as bribe on 14-10-2009 at the place, fixed by the Village Revenue Officer Sri Patel Shanker and then only his Pattadar Pass Books would be given to him. As Sri M.Maruthi Gonda was not willing to pay any bribe, he lodged a complaint with the Deputy Superintendent of Police, Anti-Corruption Bureau, Nizamabad Range on 10-10-2009 at 10:00 A.M. with a request to take necessary action against the Village Revenue Officer Sri Patel Shanker, Kandeballur Village, Jukkal Mandal, Nizamabad District;

3. And whereas, the Deputy Superintendent of Police, Anti-Corruption Bureau, Nizamabad Range after due verification of the complaint of Sri Munuru Maruthi Gonda, registered the complaint as a case in Cr.No.27/ACB-NZB/2009 on 14-10-2009 at 05:00 A.M., under section 7 of the Prevention of Corruption Act, 1988 (Act 49 of 1988) and took up the investigation;

4. And whereas, Sri Patel Shanker, S/o.Sri Mogulappa, Village Revenue Officer, Kandeballur Village, Jukkal Mandal, Nizamabad District, R/o.H.No.2-3, Kandeballur Village demanded and accepted a bribe amount of Rs.1,000/- from Sri Munuru Maruthi Gonda, S/o. Late Babu Gonda, age: 55 years, Occupation: Agriculture, R/o.Kandeballur Village, Jukkal Mandal, Nizamabad District as an illegal gratification other than legal remuneration and was trapped by the Deputy Superintendent of Police, Anti-Corruption Bureau, Nizamabad Range at 02:00 P.M. on 14-10-2009. The Phenolphthalein test conducted on both the hand fingers of the Village Revenue Officer Sri Patel Shanker and inner flap of the left side wearing shirt pocket of Sri Patel Shanker from which the tainted currency notes were recovered, yielded positive result. The tainted amount of Rs.1,000/- was seized from the wearing left side shirt pocket of the Village Revenue Officer Sri Patel Shanker in the presence of mediators at his instance. The official favour documents i.e., (1) Made up file containing 4 sheets, Application of Sri M. Maruthi Gonda's Mother Smt.Gangavva, W/o.late Babu Gonda, Notice No. ROR/2009, Dated:01-06-2009 issued to by the Tahsildhar, Jukkal Mandal, and Original and copy of Proceedings No.ROR/22/2009, Dt.30-07-2009 of the Tahsildar, Jukkal Mandal, (2) Pattadar Pass Book No.437835, Patta No.235 in favour of Smt.Gangavva, W/o.late Babu Gonda; and (3) Title Deed Book No.406435, Patta No.235 of Smt.Gangavva were recovered from the nylon bag of the Village Revenue Officer Sri Patel Shanker which is on his table;

5. And whereas, the said acts of Sri Patel Shanker, Village Revenue Officer, Kandeballur Village, Jukkal Mandal, Nizamabad District constitute offences punishable under section 7 and clause (d) of sub-section (1) of section 13 read-with sub-section (2) of section 13 of the Prevention of Corruption Act, 1988 (Act 49 of 1988);

6. And whereas, the Government of Andhra Pradesh being the Competent Authority to remove Sri Patel Shanker, Village Revenue Officer, Kandeballur Village, Jukkal Mandal, Nizamabad District from Govt. service after fully and carefully examining the material i.e., copies of First Information Report, Mediators' Reports-I & II, statements of witnesses and Final Report of the Director General, Anti-Corruption Bureau, Andhra Pradesh, Hyderabad, placed before them, in respect of the said allegations and having regard to the facts and circumstances of the case, consider that the said Sri Patel Shanker, Village Revenue Officer, Kandeballur Village, Jukkal Mandal, Nizamabad District should be prosecuted in a Court of Law for the aforesaid offences;

7. Now, therefore, in exercise of the powers conferred under clause (b) of sub-section (1) of section 19 of Prevention of Corruption Act, 1988 (Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for prosecution of the said Sri Patel Shanker, Village Revenue Officer, Kandeballur Village, Jukkal Mandal, Nizamabad District for the offences punishable under section 7 and sub-section (2) of section 13 read-with section clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Act 49 of 1988) and for any other cognate offences punishable under any other provisions of law for the time being in force, in respect of the above said acts and also for taking cognizance of the said offence by a Court of Competent Jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT**

To
The Director General,
Anti-Corruption Bureau,
Andhra Pradesh, Hyderabad.

//Forwarded By order//

Section officer